



The Rendezvous

The official Newsletter of the Idaho Outfitters and Guides
Licensing Board

Fall - 2003

Message from the Director

As a service to you, IOGLB will begin providing a quarterly newsletter starting this fall. The newsletter will include current information on licensing, enforcement & administrative processes & initiatives. To provide this newsletter by the most cost-efficient means, it will be e-mailed whenever possible.

This newsletter represents changes that are occurring within IOGLB. I was hired as the Executive Director in April of 2002 and quickly discovered what many of you may have already realized: "this agency had been getting a little further off the trail with each passing year." This was most evident in the backlog and delays associated with licensing in 2002, 2001 and 2000.

The Board put initiatives in place to improve and upgrade services to you, the outfitter, the day that I was installed as Director. Since then, in the last eighteen months, the Board has continued to focus on making a number of improvements. Some of these improvements include:

- Licenses were issued in less than 3 days on the average in 2003, unlike 14 days in the past.
- On-line license renewal will be available beginning in 2004.
- Multiple year licensing will be available for outfitters and DAs beginning in 2004.
- Outfitter renewal packets were simplified.
- Validated training forms were simplified for river guides.
- Interactive guide application forms are available on IOGLB's website.
- Rewrote Federal MOU. (see article).
- Initiated the development of a GIS mapping system of outfitter operating areas. (see article)
- Restructured use on the SA 7 section of the Salmon River.
- Licensed outfitted turkey hunting for the first time.
- Worked cooperatively with USFS, IDFG and outfitters to increase bear and cougar harvest in the Clearwater Region in an attempt to improve elk hunting.
- Made available to the Industry, an instruction manual for big game tag allocation.
- Several beneficial changes are anticipated early next year to address industry concerns with the U. S. Coast Guard licensing, training and testing.
- At the request of IOGA, implemented a three-year pilot program on the Clearwater River to help identify illegal operators.
- The Enforcement Chief's position has been stabilized.
- Board completed a 6-month review that led to improvements to investigations and hearings.
- Changes were made in the handling of administrative cases to minimize expenses.

- More enforcement cases have been processed in the first 6 months of this year than in any one-year in this agency's history.
- The Board is more aggressively assessing fines and recovering direct administrative costs. Over \$11,000 has been recouped this year. In its history, IOGLB has only recouped more than \$4000 in one prior year.
- Unnecessary travel expenditures stifling enforcement operations have been contained.
- The new Enforcement Chief has discovered and collected fines that have been on the books for years.
- Enforcement is targeting problem areas dealing with illegal or unlicensed outfitting. One river and several IDFG units have been targeted for 2004.

New Processes Being Implemented

Earlier this fall, the Board completed negotiations for the renewal of the MOU that identifies collaborative processes affecting outfitters operating on federally managed lands. The parties involved made a special effort to develop new processes that will provide the industry with clearer steps for completing new outfitter applications, major and minor amendments and procedures to sell a business. IOGLB is working with its federal partners to develop instruction manuals on these processes with training opportunities for permit administrators and industry representatives. The manuals are scheduled to be completed during this winter with training scheduled throughout the state this spring.

Individual Profile - Leanne Reincke, Technical Records Specialist

Leanne has worked for IOGLB since October 2001. Her responsibilities include processing new outfitter applications, major amendments, buy/sell transactions, and managing outfitter tag allocation processes. She is currently working with backcountry

ski outfitters to establish new training policies for guide licensing and to reorganize the Technical Review Committee.

Leanne was raised in the southern Idaho town of Rupert. Her favorite outdoor activity is hiking and kayaking but she says that she is always so busy with her family and job that she seldom has time to pursue these activities. Leanne, her husband and daughter have recently begun the construction of a new home in Boise.

Leanne says that she especially enjoys working with all the outfitters and agencies. She is looking forward to the completion of the efforts being made by the Board to improve the processes.

Development of GIS Underway

IOGLB is leading a partnership facilitated through the Idaho Recreation and Tourism Initiative involving the USFS, the IDFG, the BLM, State Parks and Recreation and the Dept. of Commerce in the development of a GIS mapping system of outfitter operating areas. This system will be housed and maintained by IDFG. It will improve processing time for new applications, amendments and sales agreements. It will be used by enforcement to identify illegal and unlicensed activities and it will provide a "one-stop shopping" on the State's Website for the public seeking outfitted services. All outfitters licensed in the state will be included at no cost to them.

Enforcement Report

Enforcement has reorganized its workload, currently 187 cases so far this year. The Enforcement Supervisor is handling nearly all of the cases involving licensed outfitters and guides. Field agents are concentrating on field checks and illegal/unlicensed activity. Field agents are currently targeting previously identified suspected illegal individuals and camps.

The following is a summary of nine cases where comprehensive action was taken.

Lewiston - IDFG and IOGLB conducted an investigation into an illegal outfitter that resulted in a licensed guide (Nathan Luther) being charged with several counts of illegal outfitting in criminal court. In cooperation with the IOGLB, the county prosecutor agreed to dismiss all but one charge if the IOGLB Board would hear the case and take disciplinary action. Rather than appear before the Board, Mr. Luther stipulated to a \$4000 fine and three years probation.

SNRA - IOGLB learned of an out of state business that guided excursions during 2001 and 2002. They were contacted and advised to stop advertising and/or conducting trips in Idaho. The business applied for licensure but did not complete the process and was declined a license. IOGLB made it known to several local businesses that IOGLB was watching for them to again provide the trips; they canceled their scheduled trips and pulled their advertisement. The company's name has not been released due to the continuing investigation.

Weiser - IOGLB and Washington County prosecutor's office collaborated and successfully prosecuted two former Idaho residents (Lyle & Steve Senfield) for two counts of unlicensed outfitting. Lyle paid a \$5,300 fine and \$5,135 restitution while Steve paid a \$2,300 fine and \$3,000 restitution. Both individuals were placed on probation.

Salmon - IDFG and IOGLB conducted an investigation in the Salmon area resulting in a licensed outfitter (Dave Williams) being brought to a Board hearing for outfitting an activity he was not licensed to outfit. The Board issued a disciplinary \$500 fine and put him on two years probation for unethical conduct.

McCall - A covert operation was conducted to locate two elk hunting camps reported to be repeat illegal outfitters. The camps were located and agents hunted with these out of state individuals while obtaining information. Both groups of hunters consisted of individuals from several states. At the conclusion of the investigations, it was determined no illegal activity had been conducted by these hunters. They were friends sharing costs. IOGLB agents were not asked to pay for services.

Idaho Falls - IDFG and IOGLB conducted an investigation resulting in a licensed outfitter (John Bendixsen) and a licensed guide (Mike Erickson) being convicted in criminal court for illegal outfitting. Mr. Bendixson was convicted on 5 counts including outfitting outside of his area. He was ordered to pay a \$1,200 fine, \$5,000 in restitution and was placed on probation for 3 years. Mr. Erickson was convicted of 3 counts and ordered to pay a \$500 fine, \$1,000 restitution and was placed on probation for 2 years. A board hearing is scheduled to determine if disciplinary action should be administered.

Soda Springs - IDFG conducted a covert investigation resulting in the arrest of an individual for unlicensed outfitting. The name of the individual has not been released by the Board due to the pending prosecution.

Ashton - IOGLB worked with the BLM and Forest Service to identify several out of state businesses conducting trips on the Henry's Fork. Most of these businesses are Wyoming outfitters booking trips for Idaho outfitters for whom they are licensed to guide. These Wyoming outfitters are using their own boats resulting in numerous complaints of illegal outfitting. These businesses were contacted and informed of the rules and laws governing outfitting and booking agents. All of these businesses have now come into compliance. Information is

available from IOGLB Enforcement on these outfitters. This situation is continuing to be monitored.

Board Reviewing Use/Nonuse Policies

Presently, rules call for the IOGLB to review all outfitter use reports for the preceding three (3) years prior to the renewal of a license to determine whether the operation or any portion of it falls within nonuse.

According to the rules, when an outfitter falls within a nonuse category, a “notice of nonuse” may be issued to the outfitter. The notice shall include the activities and operating areas deemed to be in nonuse, an explanation of how the determination was made, and the hearing date on which the Board will consider whether the license or any part thereof should not be renewed because of nonuse.

Holding nonuse hearings during the spring licensing period, the busiest time of the year for IOGLB, is awkward. Prior Boards have reviewed nonuse on a case-by-case basis and have issued disciplinary actions in various forms from warnings to revocation. This practice of review on a case-by-case basis has allowed for a gradual degradation of the outfitter use system and as a result, there are several outfitters in nonuse in at least part of their licensed activities.

It is the current Board’s policy that outfitters must actively use their operating areas and activities or lose them. The Board believes it is in the industry’s best interest that all available outfitter opportunities and services be optimized. As a result, you will see the Board review and clarify this policy and practice and take a more deliberate approach to enforcement of outfitter’s use beginning in 2004.

INFORMATION

IOGLB maintains a current copy of it’s statutes and rules, operating manual, Board

agendas and minutes, and other important information on it’s website at www.state.id.us/oglb/oglbhome.htm.

WE WANT TO HEAR FROM YOU

Have an idea, suggestion, concern or complaint? The best way to communicate with us is through e-mail; staff will make every attempt to respond within 48 hours. You may also call at (208) 327-7380. If you call after business hours please leave a message.



IOGLB Executive Director, Jake Howard holding a 41" steelhead he caught with IOGA President, Ken Smith in November. Ken was guiding for *The Guide Shop* on the Clearwater River. Note: outfitter identification and new clearwater guide sticker on Ken's Boat.